

CRM-M-1184 of 2019 (O&M)

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-1184 of 2019 (O&M)
Date of Decision: 09.05.2019

Bittu

...Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Sandeep Verma, Advocate,
for Mr. Ankur Tyagi, Advocate, for the petitioner.
Mr. Munish Sharma, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Through this petition filed under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in a case arising from FIR No. 453 dated 16.11.2018, under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Murthal, Sonapat.

According to the prosecution, on 16.11.2018, the petitioner along with his co-accused was caught red handed with conscious possession of 820 grams of charas, without any permit or licence.

Learned counsel *inter alia* contends that petitioner has falsely been implicated in this case. The alleged recovery of charas, which falls under the category of “non-commercial quantity” was effected from co-accused of the petitioner. Petitioner is in custody since 16.11.2017.

Conclusion of trial may take sufficient long time and no useful purpose will

be served by detaining the petitioner behind bars. Treating the case of the

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petitioner on the same parity as that of his co-accused who has been enlarged on regular bail by this Court vide order dated 25.03.2019 passed in CRM-M-12322 of 2019, he may also be granted bail.

On the other hand, learned State counsel vehemently opposed the above submission of learned counsel for the petitioner.

Having given thoughtful consideration to the submissions made by learned counsel for the parties, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, the petitioner is ordered to be released on bail pending trial on the same parity as that of his co-accused, subject to his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

May 09, 2019
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No